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LLP

April 4, 2014

Hon. Pamela K. Chen
United States District Judge
United States Courthouse
225 Cadman Plaza East, Room N631
Brooklyn, New York 11201

VIA ELECTRONIC FILING

Re: *Saeid E. Jalayer, et al v. Josephine Stigliano, as Executrix, et al*
Civil Action No. 10-CV-2285

Dear Judge Chen:

As attorneys for plaintiffs, we are writing to request that you schedule a conference with all counsel so that either this case can be referred to mediation pursuant to Local Rule 83.8, or we can resume prosecution. In this case, plaintiffs claim that defendants are responsible for remediation of hazardous substances at their properties ("Site") in the Village of Sea Cliff ("Site"), including arsenic contained in buried coal ash, pursuant to the Comprehensive Environmental Response Compensation and Liability Act §107 (42 U.S.C. §9607). The defendants deny liability, have raised various defenses, and have filed cross-claims and counterclaims.

Plaintiff Saied Jalayer has enrolled the Site in the New York State Brownfield Cleanup Program ("BCP"). After paper discovery and depositions of the parties, this case was put on hold while a Remedial Investigation ("RI") was undertaken. On April 2, the RI Report was approved by the New York State Department of Environmental Conservation. The next step in the BCP process would be to propose a remedial plan. Accordingly, the BCP process is at a critical juncture. We believe it makes sense to consider mediation prior to selection of the remedial strategy and further expenditures on this case.

Thank you for your consideration.

Respectfully submitted,

KNAUF SHAW LLP

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Mr. Saeid E. Jalayer